

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FERNANDO GARCIA ARMENTA and NOE
ESCAMILLA VILLANO, individually and on
behalf of others similarly situated,

Plaintiffs,

-against-

LA CORNELIA LLC (D/B/A TACOMBI),
DIETER WIECHMANN (A.K.A. DARIO),
GABRIELLA DIPIETRO, and ERIC DOE,

Defendants.

OFFER OF JUDGMENT

1:20-cv-03767

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants La Cornelia LLC (d/b/a Tacombi), Dieter Wiechmann (a.k.a. Dario), Gabriella DiPietro, and Eric Doe (collectively, “Defendants”) hereby offer to allow judgment to be taken against them in this action in the amount of Seven Thousand Dollars and Zero Cents (\$7,000.00), which amount includes all damages, costs, experts’ fees, attorneys’ fees, and interest accrued to date which are recoverable pursuant to the Fair Labor Standards Act, the New York Labor Law, or otherwise, on the condition that all claims against Defendants are dismissed with prejudice, and without costs, thereby disposing of this action in its entirety. This Offer of Judgment is made for the purposes specified in Rule 68, will stay open for 14 days pursuant to Rule 68, and is not to be construed either as an admission that Defendants are liable in this action, or that Plaintiff Fernando Garcia Armenta or Noé Escamilla Villano (“Plaintiffs”) have suffered any damages. If this Offer of Judgment is not accepted by Plaintiffs within 14 days of service, then Defendants will seek to recover from Plaintiffs all of their costs incurred thereafter as may be permitted pursuant to Rule 68 of the Federal Rules of Civil Procedure.

Dated: August 10, 2020

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By: /s/ LaKeisha M.A. Caton

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